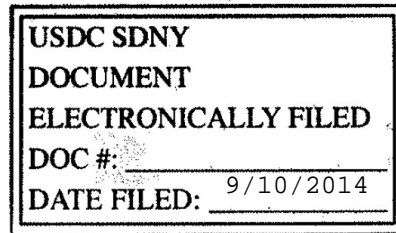


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
GREGORY MARTIN,

Plaintiff,

- against -

CAROLYN W. COLVIN, acting
Commissioner of Social Security,

Defendant.
----- X

13-CV-2827 (VSB) (RLE)

ORDER

Appearances:

Charles E. Binder
Binder and Binder P.C.
New York, New York
Counsel for Plaintiff

Shane Patrick Cargo
U.S. Attorney's Office
New York, New York
Counsel for Defendant

VERNON S. BRODERICK, United States District Judge:

Plaintiff Gregory Martin brings this action pursuant to section 205(g) of the Social Security Act, 42 U.S.C. § 405(G), seeking judicial review of a final decision of Defendant the Commissioner of Social Security (the "Commissioner"), denying his application for disability insurance benefits. On January 6, 2014, Plaintiff moved for judgment on the pleadings. (Doc. 11.) Defendant cross-moved for judgment on the pleadings on March 14, 2014. (Doc. 15.) This case was referred to Magistrate Judge Ronald L. Ellis for a report and recommendation on the cross-motions. (Doc. 2.) Before me is Judge Ellis's August 12, 2014 Report and

Recommendation, (Doc. 19), which recommends that judgment on the pleadings be granted in part in favor of Plaintiff.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F.Supp. 1186, 1189 (S.D.N.Y.1985).


Here, although the Report and Recommendation provided that “the Parties shall have fourteen days after being served with a copy of the recommended disposition to file written objections,” (Report and Recommendation 29), neither party has filed an objection. Accordingly, I have reviewed Judge Ellis’s thorough and well-reasoned Report and Recommendation for clear error and, after careful review of the record, find none. I therefore adopt the Report and Recommendation in its entirety.

Judgment on the pleadings is granted in favor of Plaintiff, and this case is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation.

The Clerk's Office is respectfully directed to terminate Docs. 11 and 15, and to enter judgment remanding this case.

SO ORDERED.

Dated: September 10, 2014
New York, New York


Vernon S. Broderick
United States District Judge